

BEFORE THE
POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON

IN THE MATTER OF)
VALLEY GENERAL HOSPITAL,)
Appellant,)
vs.)
PUGET SOUND AIR POLLUTION)
CONTROL AGENCY,)
Respondent.)

PCHB No. 308

FINDINGS OF FACT,
CONCLUSION OF LAW AND ORDER

A formal hearing on the appeal of Valley General Hospital to a Notice of Civil Penalty of \$50.00 for an alleged smoke emission violation came on before the Board with all members present, Walt Woodward, presiding, on May 22, 1973 in Seattle, Washington.

Appellant appeared by and through its chief engineer, James Kannitzer; respondent appeared by and through its attorney, Keith D. McGoffin.

Having heard the testimony and being fully advised, the Board makes the following:

FINDINGS OF FACT

I.

On February 1, 1973 appellant caused or allowed smoke to be emitted from the incinerator of its hospital at 400 South 43rd Street, Renton, Washington for at least eleven consecutive minutes of a shade darker than No. 2 on the Ringelmann Chart, namely, a Ringelmann varying from 2½ to 4. The smoke was caused by the incineration of too large a volume of pathological wastes.

II.

Section 9.03(a) of respondent's Regulation I makes it unlawful to cause or allow the emission of an air contaminant darker in shade than No. 2 on the Ringelmann Chart for more than three minutes in any hour.

III.

Since the smoke emission violation, appellant has changed its procedure of disposing of pathological wastes. Such material is no longer burned, but rather is sterilized under steam pressure, compacted and taken to a waste disposal site. Appellant has incurred no other infractions of respondent's regulations.

From which comes this

CONCLUSION OF LAW

Appellant was in violation of Section 9.03(a) of respondent's Regulation I.

ORDER

The appeal is denied, but the civil penalty is suspended if appellant does not violate respondent's Regulation for six months from the date of this Order.

FINDINGS OF FACT,

CONCLUSION OF LAW AND ORDER

1 DONE at Lacey, Washington this 5th day of June, 1973.

2 POLLUTION CONTROL HEARINGS BOARD

3 Walt Woodward

4 WALT WOODWARD, Chairman

5 W. A. Gissberg

6 W. A. GISSBERG, Member

7 James T. Sheehy

8 JAMES T. SHEEHY, Member

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26 FINDINGS OF FACT,
27 CONCLUSION OF LAW AND ORDER